

PATENT
0040522-0050
(370208-2250)

REMARKS

Reconsideration and withdrawal of the rejection of this application are respectfully requested.

Submitted herewith is an Authorization to Charge our Deposit Account No. 50-0297 in the amount of \$55.00 in payment of the fee for recordation of a terminal disclaimer. No additional fee is believed necessary for entry and recordation of the terminal disclaimer. However, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in such fees to Deposit Account No. 50-0297.

Applicants would like to thank Examiner Chin for the courtesies extended to the undersigned during a telephone conference on July 12, 1999.

The Office Action indicates that claims 4-48 are pending in this application. However, an Amendment was filed March 29, 1999 in response to the Office Action mailed December 21, 1998. The Amendment cancelled claims 1-3 and added claims 30-83. Thus, claims 4-83 are pending in this application.

Claims 4-48 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1, 2, 5-9, 11, 17-25, 27-30, 32, 35-37, 46, 47 and 80-150 of copending U.S. Application Serial No. 08/611,804 to Wohlstadter ("Wohlstadter '804 application").

Claims 4-48 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 40-104 of copending U.S. Application Serial No. 08/470,089 to Wohlstadter ("Wohlstadter '089 application").

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Claims 4-48 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 40-153 of copending U.S. Application Serial No. 08/470,874 to Wohlstadter ("Wohlstadter '874 application").

Claims 4-48 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 40-80 of copending U.S. Application Serial No. 08/471,050 to Wohlstadter ("Wohlstadter '050 application").

Claims 4-48 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 32, 34 and 40-101 of copending U.S. Application Serial No. 08/402,277 to Wohlstadter ("Wohlstadter '277 application").

Claims 4-48 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-27, 35, 36 and 40-47 of copending U.S. Application Serial No. 08/479,425 to Wohlstadter ("Wohlstadter '425 application").

Each of the above-described rejections will be addressed collectively. In order to obviate the above-described provisional rejections and to expedite allowance of the present application, Applicants hereby to submit a terminal disclaimer over each of the above-referenced copending applications without admitting obviousness over the cited copending applications. (see, Quad Environmental Technologies v. Union Sanitary District, 20 U.S.P.Q. 2d 1392, 1394-5 (Fed.Cir. 1991)). Accordingly, Applicants respectfully request that the terminal disclaimer be properly

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recorded and that these obviousness-type double patenting rejections be withdrawn with respect to the above-identified copending application.

Applicants would also like to bring to the Examiner's attention copending U.S. application Serial No. 08/402,076, particularly dependent claims 70 and 71. To further the prosecution of the present application, Applicants have included this copending application in the terminal disclaimer without admitting obviousness over the copending application. (see, Quad Environmental Technologies v. Union Sanitary District, 20 U.S.P.Q. 2d 1392, 1394-5 (Fed.Cir. 1991)).

Applicants submit that the instant application is in condition for allowance, the early notification of which is respectfully requested.

Applicants respectfully request that the Examiner acknowledge the Information Disclosure Statements submitted January 14, 1999 and March 23, 1999 and return an initialed copy of the forms PTO-1449 ("List of References Cited by Applicant") to Applicants' attorneys.

Additionally, if the Examiner believes that there are any issues still pending which present an impediment to allowance, it is respectfully requested that the undersigned be contacted by telephone to conduct a telephone interview.

Respectfully submitted,

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